

# **HARBOR PORPOISE TAKE REDUCTION PLAN (HPTRP)**

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Mid-Atlantic

September 2006



**Guide to the Harbor Porpoise Take Reduction Plan for the Mid-Atlantic**

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For more information contact NOAA’s National Marine Fisheries Service  
Northeast Regional Office Protected Resources Division at 978-281-9300  
or visit the HPTRP website at [www.nero.noaa.gov/prot\\_res/porptrp](http://www.nero.noaa.gov/prot_res/porptrp)

### Overview of Harbor Porpoise Take Reduction Plan

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The Marine Mammal Protection Act (MMPA) directs NOAA's National Marine Fisheries Service (NMFS) to reduce the number of marine mammal deaths and serious injuries caused by commercial fishing gear. In particular, the MMPA requires the federal government to protect any marine mammal stock in which the potential biological removal (PBR) level is being exceeded. PBR is defined as the number of human-caused deaths the stock can withstand annually and still reach and maintain an optimum population level.

On December 1, 1998, NMFS published a final rule in the *Federal Register* to implement the Harbor Porpoise Take Reduction Plan (HPTRP). The HPTRP was developed to reduce interactions between harbor porpoise and commercial gillnet gear in both the Gulf of Maine and the Mid-Atlantic regions. Subsequent to the final rule publication, a correction notice to the final rule was published on December 23, 1998. In addition, a final rule was published on January 11, 2001 to modify the list of exempted waters to include all of Delaware Bay landward of the 72 COLREGS demarcation line (International Regulations for Preventing Collisions at Sea, 1972).

Harbor porpoise are found in coastal and offshore waters where they prey on small schooling fish, including some fish that are sought by gillnet fishermen and, as a result, can become entangled in gillnets. They are difficult to study because they are widely dispersed in small groups and spend little time at the surface. The Gulf of Maine/ Bay of Fundy stock of harbor porpoise is the stock that is managed by the HPTRP. Along the east coast of North America, they can be found from Labrador to North Carolina. Their distribution varies unpredictably from year to year depending on environmental conditions such as water temperature and prey distribution. Generally, in the winter, a part of this stock moves south to waters between New York and North Carolina. In the summer, harbor porpoise are generally found in the northern Gulf of Maine and southern Bay of Fundy area. In the fall and spring, they are widely dispersed from Maine to New Jersey.

The most recent US Atlantic and Gulf of Mexico Marine Mammal Stock Assessment report provides the most current information about the harbor porpoise population, including the PBR level.

This outreach guide pertains to the Mid-Atlantic portion of the HPTRP found in 50 CFR 229.34.





## Regulated and Exempted Waters

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Harbor Porpoise Take Reduction Plan regulations apply to all U.S. waters in the Atlantic except for those designated as Exempted Waters. Exempted Waters are those waters landward of the first bridge over any embayment, harbor, or inlet, and waters landward of the following areas:

### **New York**

Moriches Bay Inlet  
Fire Island Inlet  
Jones Inlet

### **New Jersey/Delaware**

Barnegat Inlet  
Beach Haven to Brigantine Inlet  
Cape May Inlet  
Delaware Bay

### **Maryland/Virginia**

Ocean City Inlet  
Chincoteague to Ship Shoal Inlet  
Little Inlet  
Smith Island Inlet

### **North Carolina**

All marine and tidal waters landward of the 72 COLREGS demarcation lines, as depicted or noted on nautical charts published by NOAA and described in 33 CFR part 80.

NOTE: For exact coordinates of the above mentioned exempted waters see 50 CFR part 229.34 or call the NMFS Northeast Region Protected Resources Division at 978-281-9300.



## Mid-Atlantic Gillnet Fishery Management Boundaries

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The Mid-Atlantic portion of the HPTRP pertains to waters west of 72° 30' W. longitude to the Mid-Atlantic shoreline from the Connecticut/New York border to the North Carolina/South Carolina border. It includes time and area closures to gillnet fishing unless the gear meets certain specifications. Gillnet fishing in Mid-Atlantic waters during regulated periods is regulated differently for small mesh and large mesh gear. The plan also includes some time and area closures in which gillnet fishing is prohibited regardless of the gear specifications.

## Gillnet Fishing Closure Area Boundaries

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### Waters off New Jersey Closure Area

This area is bounded on the east by a line running from the Rhode Island shoreline at 41° 18.2' N latitude and 71° 51.5' W longitude (Watch Hill, RI), southwesterly through Fishers Island, NY, to Race Point, Fishers Island, NY; and from Race Point, Fishers Island, NY southeasterly to the intersection of the 3 nautical mile line east of Montauk Point; southwesterly along the 3 nautical mile line to the intersection of 72° 30' W longitude; and to the south along 72° 30' W to its intersection with a line extending eastward from the northern shoreline of Delaware at 38° 47' N latitude (the latitude line that corresponds with Cape Henlopen, DE).

### New Jersey Mudhole Closure Area

This area is defined as waters off New Jersey bounded from the point 40° 30' N latitude where it intersects with the shoreline of New Jersey, east to its intersection with 73° 20' W longitude, then south to its intersection with 40° 05' N latitude, then west to its intersection with the shoreline of New Jersey.

### Southern Mid-Atlantic Waters Closure Area

This area is defined as all state and Federal waters off the states of Delaware, Maryland, Virginia and North Carolina, bounded on the north by a line extending eastward from the northern shoreline of Delaware at 38° 47' N latitude (corresponding with Cape Henlopen, DE), east to its intersection with 72° 30' W longitude, south to 33° 51' N latitude (corresponding with the North Carolina/South Carolina border), and then west to its intersection with the shoreline of the North Carolina/South Carolina border.



## Mid-Atlantic Large Mesh Gillnet Fishery Management Measures

### Large Mesh Gillnet Fishery Gear Modifications

(Mesh size 7-18 inches)

Gear Components	Gear Specifications
<b>Floatline Length</b>	
New Jersey Mudhole	No longer than 3,900 feet
Waters off New Jersey (excluding Mudhole)	No longer than 4,800 feet
Southern Mid-Atlantic Waters	No longer than 3,900 feet
<b>Twine Size</b>	
All Mid-Atlantic Waters	At least 0.90 mm in diameter
<b>Tie Downs</b>	
All Mid-Atlantic Waters	Spaced not more than 15 ft apart along floatline; not more than 48 in. in length from the point where it connects to the floatline to the point where it connects to the leadline
<b>Net Size</b>	
All Mid-Atlantic Waters	No longer than 300 feet
<b>Net Number</b>	
All Mid-Atlantic Waters	Not to exceed 80 nets per vessel
<b>Nets Within a Net String</b> (When using a 300ft net panel)	
New Jersey Mudhole	Not to exceed 13 net panels per string
Waters off New Jersey (excluding Mudhole)	Not to exceed 16 net panels per string
Southern Mid-Atlantic Waters	Not to exceed 13 net panels per string

NOTE: This document is intended to be an overview of the Harbor Porpoise Take Reduction Plan (HPTRP) and is not a substitute for the HPTRP or Final Rule.  
Please see these documents for additional information.



**Figure 1: Mid-Atlantic Management Areas for Large Mesh Gillnets**

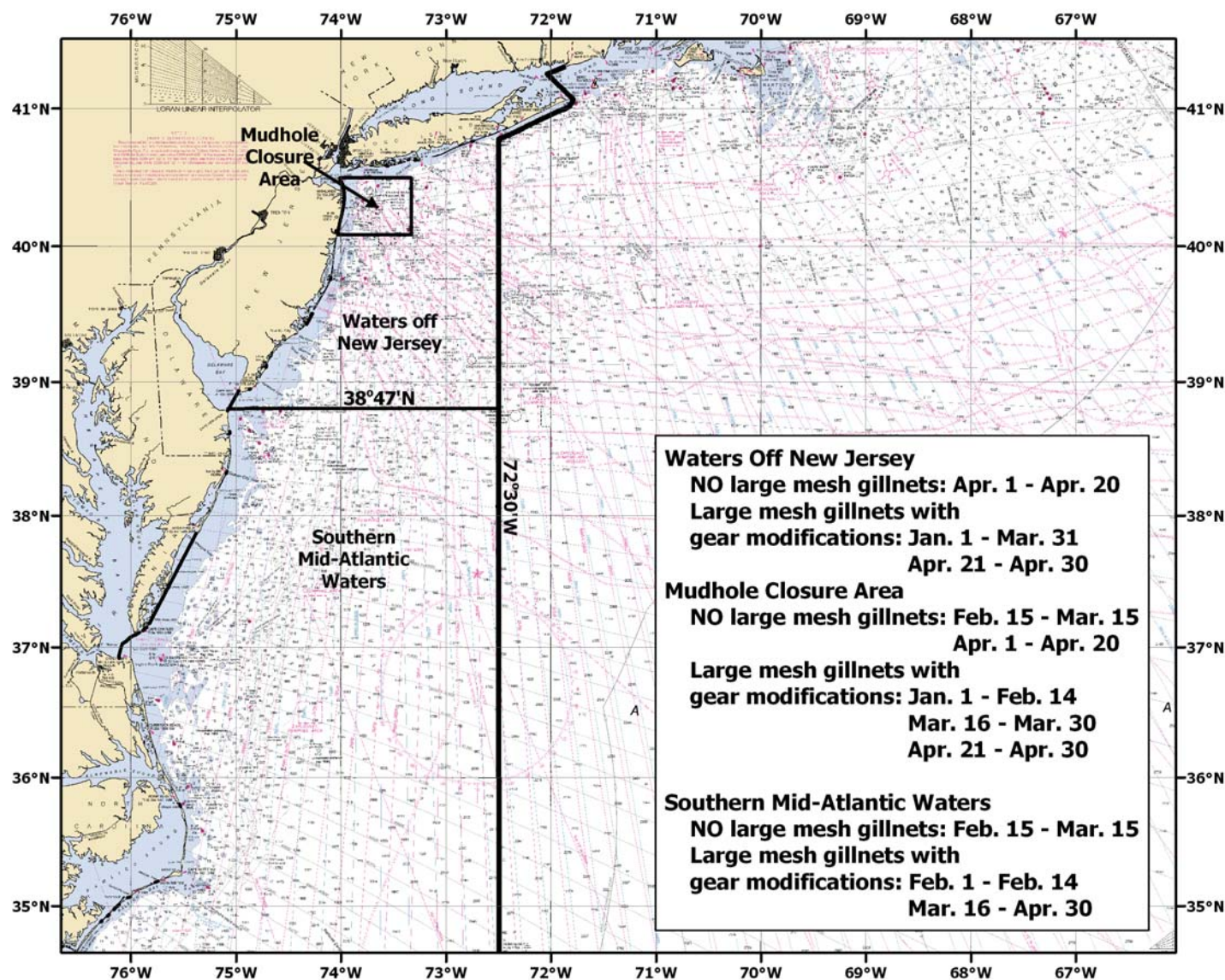


Chart Name: Cape Sable to Cape Hatteras

Chart #: 13003\_1

- Not for navigational purposes - Depth units = fathoms

- Inshore exemption lines are depicted as thick, solid lines

- Note that the southern boundary of the Southern Mid-Atlantic Waters Closure Area is the NC/SC border (33°51'N)





## Mid-Atlantic Small Mesh Management Measures

### Small Mesh Gillnet Fishery (Mesh size >5 inches to <7 inches)

Gear Components	Gear Specifications
<b>Floatline Length</b> Waters off New Jersey (including Mudhole)	No longer than 3,000 feet
Southern Mid-Atlantic Waters	No longer than 2,118 feet
<b>Twine Size</b> All Mid-Atlantic Waters	At least 0.81 mm in diameter
<b>Tie Downs</b> All Mid-Atlantic Waters	Prohibited
<b>Net Size</b> All Mid-Atlantic Waters	No longer than 300 feet
<b>Net Number</b> All Mid-Atlantic Waters	Not to exceed 45 nets per vessel
<b>Nets Within a Net String</b> (When using a 300ft net panel)	
Waters off New Jersey (including Mudhole)	Not to exceed 10 net panels per string
Southern Mid-Atlantic Waters	Not to exceed 7 net panels per string



**Figure 2: Mid-Atlantic Management Areas for Small Mesh Gillnets**

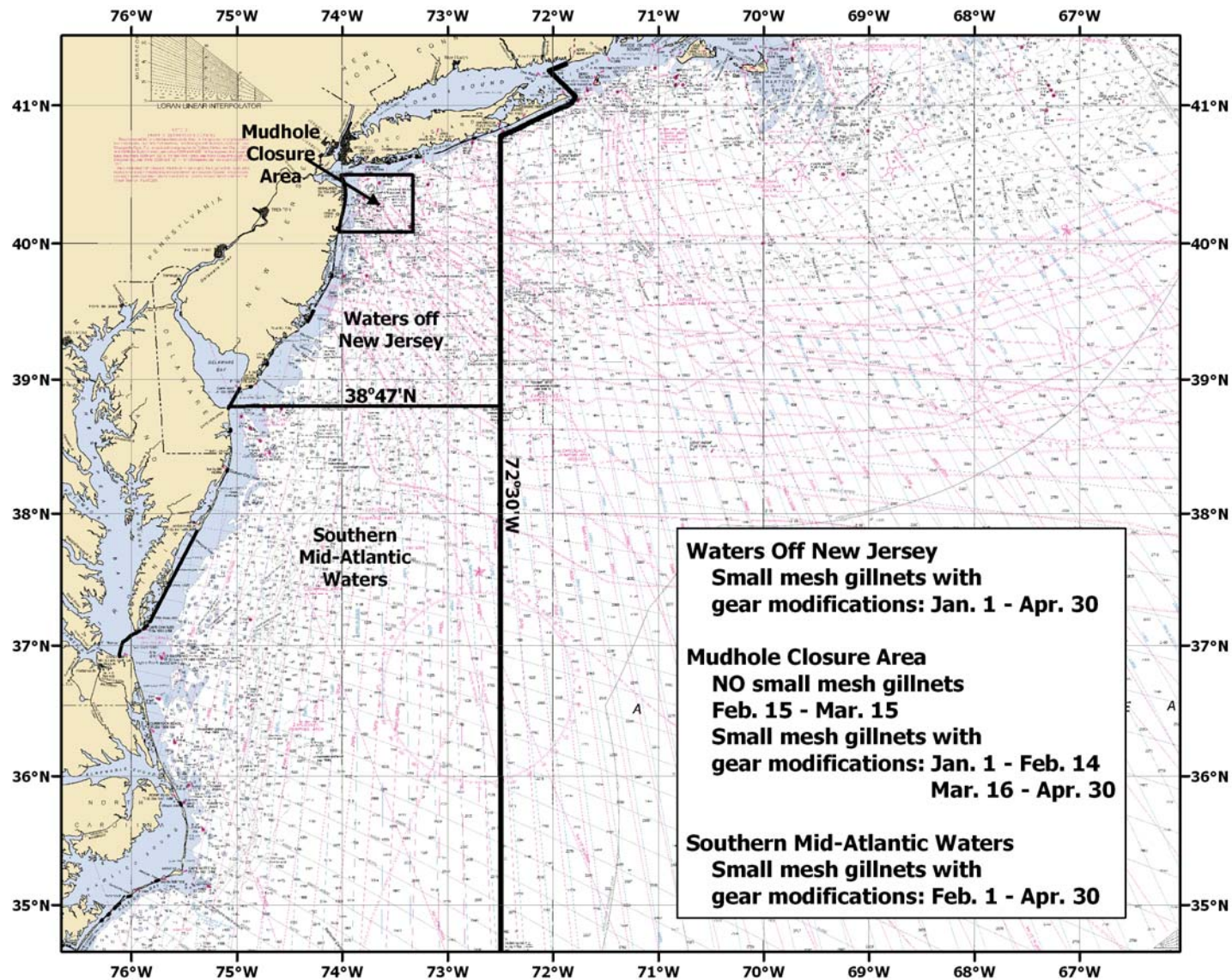


Chart Name: Cape Sable to Cape Hatteras  
 Chart #: 13003\_1  
 - Not for navigational purposes - Depth units = fathoms

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 - Note that the southern boundary of the Southern Mid-Atlantic Waters Closure Area is the NC/SC border (33°51'N)





## New Jersey Mudhole Closure Area Large Mesh Gillnet Management Measures

### Large Mesh Gillnet Fishery in the Mid-Atlantic (Mesh Size 7-18 inches)

#### Gear Modifications Required

#### Closed (No Gillnets)

<b>New Jersey Mudhole</b> (Located within the Waters off New Jersey)	Jan. 1 through Feb. 14; March 16 through March 31; April 21 through April 30	Feb. 15 through March 15
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### Large Mesh Gillnet Fishery Gear Modifications (Mesh size 7-18 inches)

#### Gear Components

#### Gear Specifications

<b>Floatline Length</b>	No longer than 3,900 feet
<b>Twine Size</b>	At least 0.90 mm in diameter
<b>Tie Downs</b>	Spaced not more than 15 ft apart along floatline; not more than 48 in. in length from the point where it connects to the floatline to the point where it connects to the headline
<b>Net Size</b>	No longer than 300 feet
<b>Net Number</b>	Not to exceed 80 nets per vessel
<b>Nets Within a Net String</b> (When using a 300ft net panel)	Not to exceed 13 net panels per string



Figure 3: Mudhole Area Restrictions for Large Mesh Gillnets

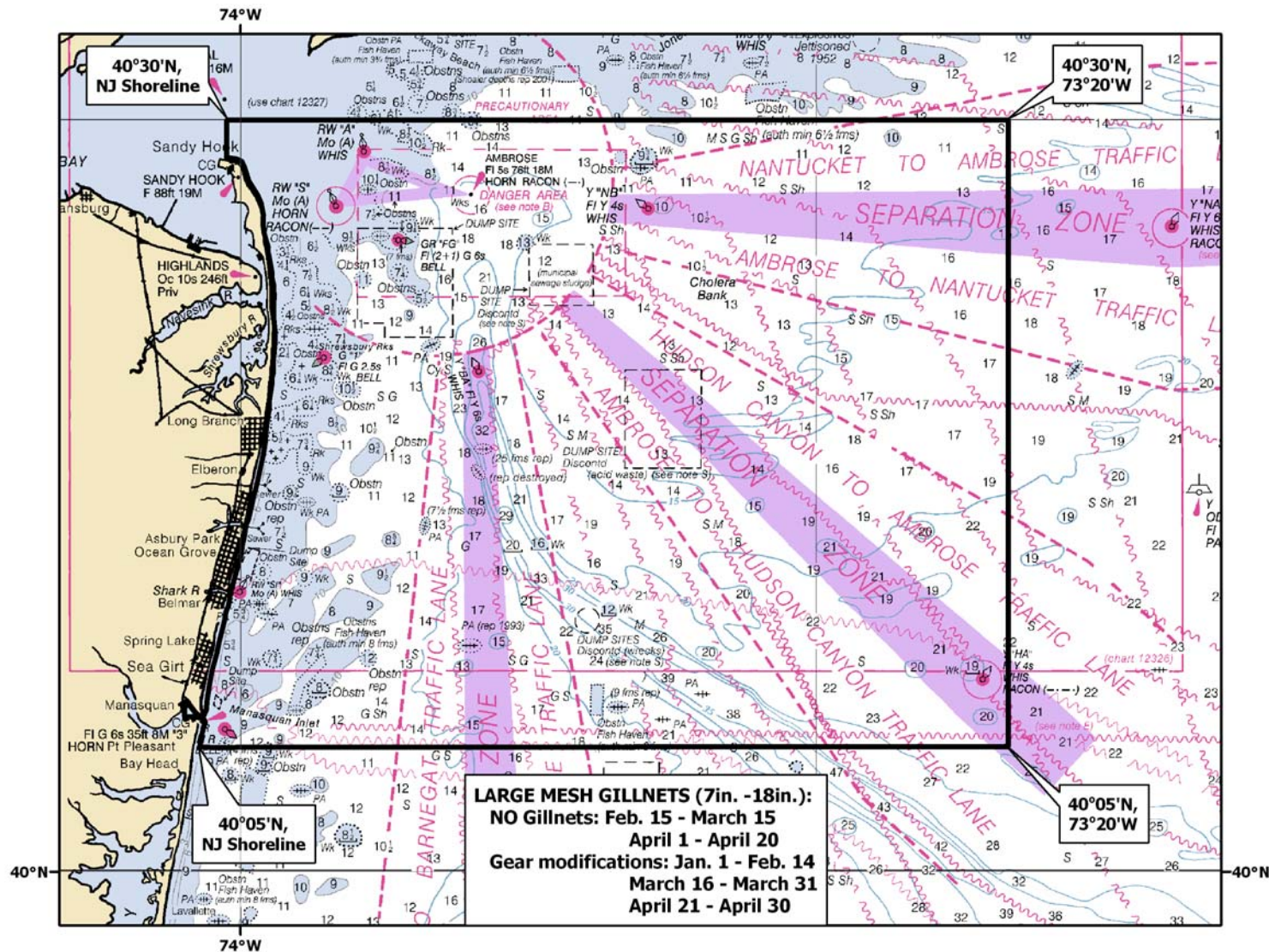


Chart Name: NY Approaches - Nantucket Shoals to Five Fathom Bank  
 Chart #: 12300\_1

- Not for navigational purposes
- Depth units = fathoms
- Inshore exemption lines are depicted as thick, solid lines





## Mudhole Closure Area Small Mesh Management Measures

### Small Mesh Gillnet Fishery in the Mid-Atlantic

(Mesh Size >5 inches to < 7 inches)

	Gear Modifications Required	Closed (No Gillnets)
<b>New Jersey Mudhole</b> (Located within the Waters off New Jersey)	Jan. 1 through Feb. 14; March 16 through April 30	Feb. 15 through March 15

### Small Mesh Gillnet Fishery Gear Modifications

(Mesh size >5 inches to <7 inches)

Gear Components	Gear Specifications
Floatline Length	No longer than 3,000 feet
Twine Size	At least 0.81 mm in diameter
Tie Downs	Prohibited
Net Size	No longer than 300 feet
Net Number	Not to exceed 45 nets per vessel
Nets Within a Net String (When using a 300ft net panel)	Not to exceed 10 net panels per string



**Figure 4: Mudhole Area Restrictions for Small Mesh Gillnets**

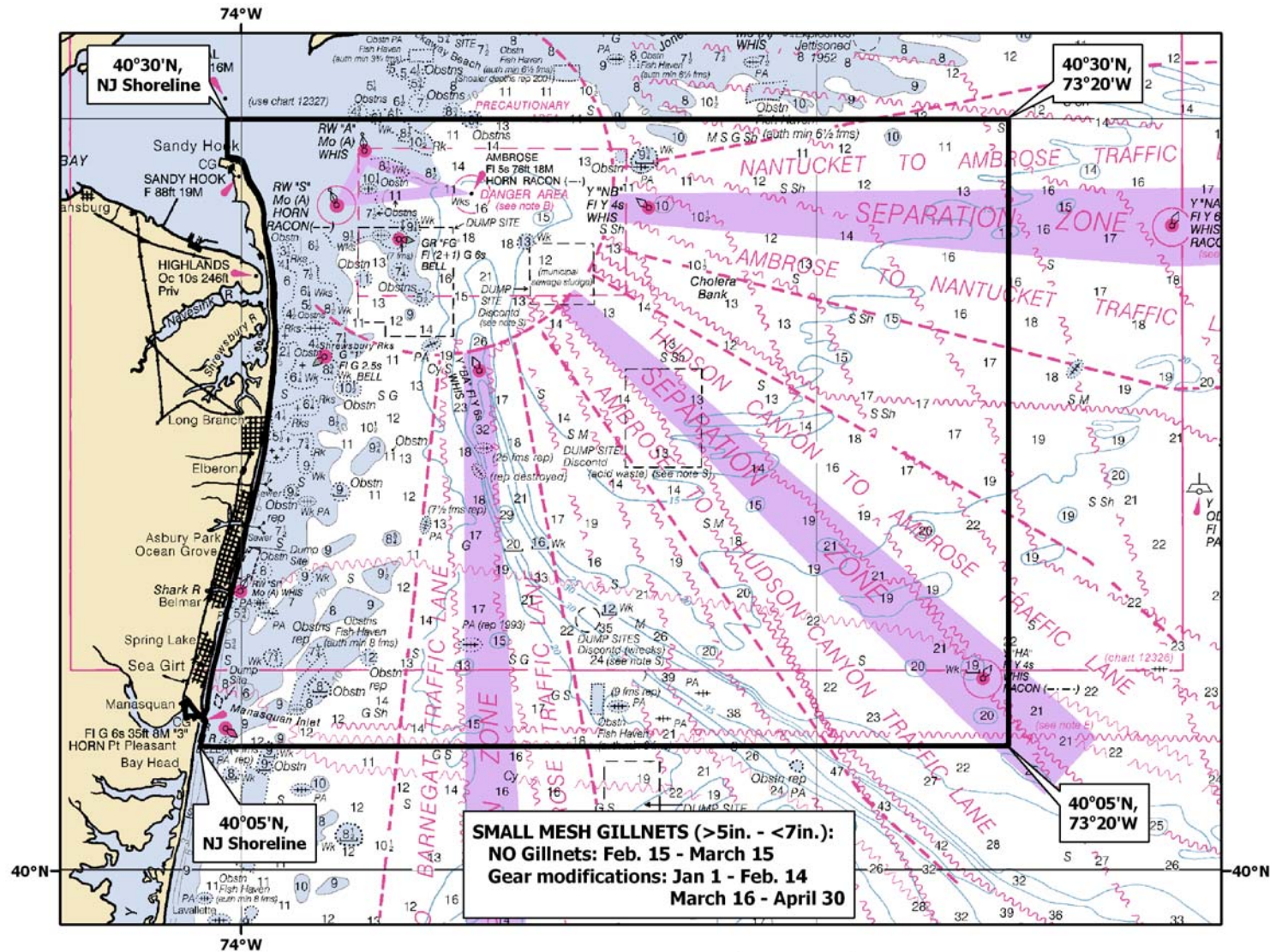


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